

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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KABINS FAMILY, LLC., etc., *et al.*,)
vs.)
Plaintiff,) 2:09-cv-1125-GMN-RJJ
vs.)
CHAIN CONSORTIUM, etc.,) ORDER
Defendant,)

16 This matter is before the Court on Plaintiff's Motion for Relief From Court Order (Doc.
17 No. 334) (#449).

18 The Court has reviewed the Motion (#449), the Response (#453), the Supplement to
19 (#453) and the Reply (#457). Plaintiffs seek an order of the court disqualifying Albert Massi,
20 Esq. as an attorney for any of the defendants in this case. This second motion to disqualify
21 follows an earlier attempt (#280) The earlier Motion to Disqualify (#280) was denied. *See*,
22 Order (#334), That decision was upheld on appeal. *See*, Order (#455). Only eleven days after
23 that latest order, Plaintiff filed this second motion to disqualify alleging newly discovered
24 evidence that requires the disqualification of attorney Massi. The court does not find that the
25 earlier decision is brought into question by any viable new evidence. Plaintiffs appear to be
26 using the motion to disqualify as a tactical weapon to impair the ability of the defendants to resist
27 and defend the allegations in the amended complaint. Good cause appearing therefore,
28 . . .

1 IT IS HEREBY ORDERED that Plaintiff's Motion for Relief From Court Order (Doc.
2 No. 334) (#449) is **DENIED**.

3 DATED this 24th day of September, 2012.

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8 ROBERT J. JOHNSTON
United States Magistrate Judge

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